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ESTABLISHMENT OF A NUCLEAR-WEAPON-FREE ZONE IN THE REGION OF THE MIDDLE EAST

Report of the Secretary-General

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* A/46/150.

I. INTRODUCTION

1. On 4 December 1990, the General Assembly adopted resolution 45/52, entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East", in which the Assembly, inter alia, welcomed the completion of the study undertaken by the Secretary-General (A/45/435, annex), in accordance with paragraph 8 of resolution 43/65 and contained in his report, on effective and verifiable measures which would facilitate the establishment of a nuclear-weapon-free zone in the Middle East; requested all parties of the region and other parties concerned, in particular the nuclear-weapon States, to submit to the Secretary-General their views and suggestions with respect to the above-mentioned study, as well as on follow-up measures which would facilitate the establishment of a nuclear-weapon-free zone in the Middle East; requested the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution; and decided to include in the provisional agenda of its forty-sixth session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

2. Pursuant to paragraph 9 of the resolution, the Secretary-General, in a note verbale dated 29 January 1991, requested all parties of the region and other parties concerned, in particular the nuclear-weapon States, to submit their views and suggestions with respect to the study mentioned in paragraph 8 of resolution 43/65, as well as on follow-up measures which would facilitate the establishment of a nuclear-weapon-free zone in the Middle East.

3. Pursuant to paragraph 10 of the resolution, the Secretary-General submits the present report on the implementation of the resolution.

II. REPLIES RECEIVED FROM GOVERNMENTS

BRUNEI DARUSSALAM

[Original: English]

[24 April 1991]

The Ministry (of Foreign Affairs) has the honour to convey Brunei Darussalam's view on this matter that it would like to urge all parties concerned to take practical and urgent steps for the setting up of a nuclear-weapon-free zone in the Middl East. Bearing in mind the situation in the Middle East, the establishment of such a zone would help contribute towards solving the conflict. Moreover, the establishment of such a zone would be a step towards obtaining the objectives of non-proliferation of nuclear weapons in general and complete disarmament.

BULGARIA

[Original: English]

[19 June 1991]

1. The Bulgarian Government welcomes the completion of the study undertaken by the Secretary-General on effective and verifiable measures which would facilitate the establishment of a nuclear-weapon-free zone in the region of the Middle East.

2. The Government of the Republic of Bulgaria has supported the adoption of resolution 45/52. In this context, the consensus reached at the General Assembly as early as at its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the region of the Middle East would greatly enhance international peace and security, is worth noting. Accordingly, Bulgaria has consistently supported the implementation of the general provisions of all subsequent United Nations resolutions, based on this consensus.

3. The Bulgarian Government subscribes to the appeal addressed in resolution 45/52 to all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East. Consequently, it joins the call contained in the said resolution upon all countries of the region that have not done so, pending and during the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards.

4. The developments throughout the world in the past few years have created an atmosphere which, to a greater extent than before, fosters a successful implementation of the efforts of a number of regional States to establish a nuclear-weapon-free zone in their area. In this respect, the Republic of Bulgaria fully supports recent initiatives aimed at creating better security environment in the Middle East and favourable conditions for freeing the region from all weapons of mass destruction and missiles that can deliver them, and at effectively restraining destabilizing conventional arms build-up in the region. Thus, Bulgaria is ready to contribute within the scope of its capabilities to the realization of the respective initiatives to these ends of President Bush of the United States of America and of President Mitterand of the Republic of France.

5. In this light, the Republic of Bulgaria hopes that the States in the region of the Middle East will come to an early agreement to finally establish a nuclear-weapon-free zone in their region, which would duly respect the legitimate security interests of all nations in the Middle East. Reducing the risk of a nuclear conflict as a result of such a development would have a positive impact on the security of all States in the Balkans, being of immediate proximity of the Middle East, including on the national security of Bulgaria.

6. The Bulgarian Government believes that the elimination of the ideological, political and military confrontation between the military blocs, and the ongoing review of military doctrines with emphasis on reduced reliance on nuclear weapons, create more favourable conditions to implement proposals for nuclear-weapon-free zones in various regions, including in the Middle East. Military strategies and the forward-based forces concept, including in Europe, are being reconsidered and modified. One of the goals pursued by such an evolution of former security principles is to find adequate interpretation of the new relationships among the European States and to decrease reliance on nuclear weapons. The establishment of a new kind of security structure and institutions in Europe that are to meet the challenges of the new time has been embarked upon. Favourable developments in Europe are expected to affect the situation in the neighbouring regions, including the Middle East.

7. The recent events in the Gulf have demonstrated that, despite the nuclear doctrines proclaimed, all nuclear States seem to act with extreme responsibility as to the possibility of using nuclear or any other kind of weapons of mass destruction in a local conflict. The Government of the Republic of Bulgaria highly appreciates the determination declared by the nuclear States in the multinational forces - United States, United Kingdom and France - not to use weapons of this kind, even if the other side uses chemical or nuclear weapons. It proved to be an important factor for acquiring stability and constructive predictability in the military operations of the coalition aimed at eliminating the results of the Iraqi aggression against Kuwait and at restoring its territorial integrity and state sovereignty.

8. This important precedent gives reasons to hope that the undertaken reconsideration of the military doctrines would have wider geographic scope. To this effect, the Bulgarian Government would like to hope that real conditions could be created for the States concerned to receive appropriate negative security assurances on behalf of the nuclear-weapon States.

9. The Government of the Republic of Bulgaria fully supports United Nations Security Council resolution 687 (1991) providing for, inter alia, immediate elimination, under the effective control of the international community, of all weapons of mass destruction and the means of their delivery possessed by Iraq. The implementation of all provisions set forth in this important resolution can contribute in practice to the achievement of greater understanding among the Middle East States concerned, as to the procedure necessary for the establishment of a nuclear-weapon-free zone in this region.

10. The study on the nuclear-weapon-free zone completed by the United Nations provides for a number of significant follow-on measures, the implementation of which would create better conditions to confer an entirely nuclear-free status on the States in the region. The Government of the Republic of Bulgaria shares the view, expressed in resolution 45/52, that a major event of underlying importance could be the accession of all States in the region to the Treaty on Non-Proliferation of Nuclear Weapons. Beyond any doubt. It would be of great help, too, if the Middle East States declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any

other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party. As underlined in the above-mentioned study, that would require an adequate monitoring and control and verification of compliance system.

11. The Bulgarian Government completely shares the view set forth in the study that the reliable guaranteeing of security of all States in the region is directly related to the establishment of a nuclear-weapon-free zone. The efforts to prevent the proliferation of weapons of mass destruction in the region and especially of nuclear weapons and the means of their delivery correspond to the interests of all States and are of importance to the establishment of a nuclear-free zone.

12. The Republic of Bulgaria reiterates its readiness to render assistance, within the range of its possibilities, for the success of the efforts of regional States to establish a nuclear-weapon-free zone in the Middle East that would enhance the security of all States in the region.

CHILE

[Original: Spanish]

[18 July 1991]

1. The conclusions contained in the Secretary-General's report on effective and verifiable measures which would facilitate the establishment of a nuclear-weapon-free zone in the Middle East (A/45/435) are very useful, particularly those concerning the development of confidence-building measures and agreements on negative and positive security assurances. In addition, the recent disarmament talks in Paris on 8 and 9 July 1991 and the London economic summit meeting of 15 to 18 July 1991 provide an initial indication of the fundamental role which the major Powers can play in preventing the proliferation of weapons of mass destruction in the Middle East.

2. Also of special importance for the establishment of a nuclear-weapon-free zone in the region are the precise definition of the geographic extent of the zone, verification mechanisms and means of ensuring that the restrictions imposed do not hinder peaceful nuclear development in the States concerned.

CHINA

[Original: Chinese]

[23 May 1991]

1. China always respects and supports the establishment of nuclear-weapon-free zones by the countries concerned according to the actual conditions of their regions and on the basis of consultations and voluntary

agreement, and believes that the nuclear-weapon States should respect these countries' demands and propositions, respect the status of nuclear-weapon-free zones and undertake corresponding responsibilities. Proceeding from this position, China has signed and ratified the relevant protocols of the Treaty on the Prohibition of Nuclear Weapons in Latin America and the Treaty on the Establishment of Nuclear-Weapon-Free Zone in South Pacific, and has taken corresponding responsibilities.

2. China respects and supports the establishment of nuclear-weapon-free zones in South Asia and in the region of the Middle East by countries of these regions in the light of their actual regional conditions and through voluntary consultations. China declared from the very first day when it came into possession of nuclear weapons that it would not be the first to use nuclear weapons at any time and under any circumstances. China has also undertaken not to use or threaten to use nuclear weapons against non-nuclear-weapon States and nuclear-weapon-free zones. These commitments of China's are applicable to South Asia and the Middle East as well.

3. China believes that the establishment of nuclear-weapon-free zones in South Asia and in the region of the Middle East will be facilitated if all the nuclear-weapon States can adopt the following measures:

(1) To declare that they will respect the status of nuclear-weapon-free zones and undertake corresponding obligations.

(2) To undertake neither to be the first to use nuclear weapons nor to use or threaten to use nuclear weapons against non-nuclear-weapon States and nuclear-weapon-free zones.

(3) To withdraw all their nuclear weapons back to their own territories by the nuclear-weapon States that have deployed these weapons abroad.

EGYPT

[Original: English]

[29 April 1991]

1. The Middle East regrettably has long been a region fraught with tension and a theatre for recurrent armed conflict because of the political discord that has prevailed throughout its long history. The situation in the region has become even more precarious in recent years with the introduction of nuclear-weapon capability and other weapons of mass destruction.

2. Peace, security and stability in the region will only be feasible when the political problems there have been resolved, and justice for all peoples of the regions supreme. One of the concerns that must be addressed before the peoples of the region can truly live in peace and security is the ominous threat posed by the introduction of nuclear-weapons capability.

3. Efforts aimed at redressing the threats posed by the nuclear dimension of the arms race would, without a doubt, be facilitated by the resolution of the political problems in the region and vice versa. However, in light of the volatile situation the world community cannot afford to await the successful conclusion of either before addressing the other. Consequently, while unwavering in her endeavours aimed at resolving the region's political problems, Egypt has consistently called for the establishment of a nuclear-weapons-free zone in the Middle East. In pursuing each of these objectives she has always been keenly aware of the unique nature and characteristics of the region.

4. The Secretary-General in his introduction to the study on effective and verifiable measures which would facilitate the establishment of a nuclear-weapon-free zone in the Middle East (A/45/435 of 10 October 1990) highlighted these crucial points: he emphasized that the volatile nature of the Middle East "make any effort to establish such a zone extremely difficult, but at the same time and for the same reasons, also an urgent and most desirable objective". He went on to say "... it is quite obvious that each zone, actual or potential, has its own characteristics, which, despite the basic common denominators they enjoy make each one a unique undertaking".

5. Both of these themes were recurrent throughout the study and should be kept in mind by all concerned. Simply put the situation in the Middle East does not provide for the luxury of time. The ominous implications posed by the introduction of a nuclear dimension into the turmoil of the region must be addressed promptly. Furthermore, efforts made in this regard must scrupulously take into account the prevailing circumstances in the region, particularly in the nuclear field, as well as the political situation which governs and sets the parameters for the process through which the establishment of nuclear-weapons-free zone in the Middle East can be pursued.

6. Of paramount importance as well is another point made by the Secretary-General in the conclusions of the study that "the nuclear threat can be effectively and permanently eliminated only as a pattern of sound regional security relationships is developed based on unequivocal, unambiguous, legally-binding arrangements amongst which must be an equal commitment by all States of the nuclear-weapon option". Egypt would like to strongly reaffirm that equal legally-binding commitments by all States of the region to relinquish the nuclear weapon option are prerequisites sine qua non for the establishment of a nuclear-weapon-free zone in the Middle East.

7. There should be no illusion that an asymmetry in nuclear-weapon capabilities in the region, or in the commitments made by States to relinquish the nuclear-weapon option can be part of any nuclear-weapon-free zone in the region. In paragraph 108 of his study, the Secretary-General quite appropriately states: "The present asymmetrical situation is not stable. There are psychological and political pressures to 'level up' if Israel refuses to 'level down'". In paragraph 105 he had already stated that "Israel should be persuaded to renounce its presumed nuclear capabilities at the earliest possible stage".

8. Egypt cannot over-emphasize the importance of this point, one which she has reiterated over the years in calling upon Israel to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons, an eventuality which was described in the study as "a most significant milestone". Further measures will also be necessary to ascertain that no secret, undeclared nuclear stockpile remained in Israel's possession.

9. In this context, and with these three points vividly in mind, Egypt studied with great interest the proposals made in Chapter IV, the conclusions, as well as the annex to the study. She shares the view expressed in paragraph 179 that it is especially important that confidence-building measures be developed in the nuclear field. The suggestions regarding the transparency of nuclear programmes - past, present and future - through declarations made by States of the region, as well as extra-regional States which have participated in the developments of such programmes, would be useful in developing the necessary confidence in the present status and peaceful nature of such programmes. Full disclosure and accountability of the nuclear programmes in the region is of fundamental importance.

10. Naturally, unilateral declarations, while useful shall not suffice. As has been endorsed by the General Assembly in its definition of a nuclear-weapon-free zone, resolution 3472 B (XXX) of 11 December 1975, verification and control procedures should "guarantee compliance with obligations or commitments made throughout the different stages of establishing the nuclear-weapon-free zones".

11. The International Atomic Energy Agency should play a useful role in verifying the veracity of the different declarations made prior to the establishment of the zone, regarding the nuclear activities in the region through agreements reached with the concerned parties on an individual basis. The full scope safeguard system now being implemented should be extended to cover all nuclear facilities in the Middle East as a confidence-building measure to facilitate the establishment of the zone. The IAEA should also serve as the kernel for the verification system to be implemented after the establishment of the zone, to be complemented by whatever additional measures are agreed upon by the concerned States.

12. Egypt is also of the view that the establishment of such a zone should entail both negative as well as positive assurances by extra-regional States not to attack the States of the region with nuclear weapons, and to provide assistance to such States if an attack occurs. She believes that Security Council resolution 255 (1968) should be the subject of immediate consultations and among the permanent members of the Security Council as well as others in order to supplement it as suggested during the Fourth Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons.

13. As follow-up measure to the present study and without prejudice to the negotiating process it would be useful if the Secretary-General address a questionnaire to the States of the region, members of the Arab League, Israel and the Islamic Republic of Iran regarding the annex to the study to ascertain their rules regarding the principal elements of a zonal arrangement especially:

(a) Its geographical extent;

(b) The list of its basic prohibitions;

(c) The verification of compliance with those prohibitions;

(d) The commitments towards the zone to be made by States outside the region;

(e) The duration of the relevant arrangement;

(f) Provisions regarding adjacent areas;

(g) Relationships to other similar zones;

(h) Relationships to other international agreements;

(i) The various technical clauses such as verification and withdrawal provisions.

14. The United Nations in recent years has once again reasserted its crucial and fundamental role in addressing global and regional problems. Its contributions towards peace-keeping and peace-making in the Middle East have been invaluable and this worthy Organization must continue to play a central role in the region, inter alia, in the disarmament field. The full potential of the Secretary-General's good offices should be utilized to facilitate the establishment of a nuclear-weapon-free zone in the Middle East.

15. The success of our efforts to eliminate the threats emanating from the introduction of nuclear-weapon capability into the region undisputedly would augur well for other disarmament measures. Concrete steps leading to a symmetry in the nuclear-weapon capabilities through a levelling-down process, and in the obligations taken by States of the region to relinquish nuclear weapons would be instrumental in facilitating other disarmament measures, particularly regarding weapons of mass destruction. Egypt's desire and commitment to address all of these issues in a manner which would safeguard the security of all the States of the region is evident in the proposal made by President Hosni Mubarak on 8 April 1990 to declare the Middle East a zone free from weapons of mass destruction.

16. In conclusion, it is worthy to reiterate, as lucidly stated in the final paragraph of the conclusion of the study, "The presence of nuclear weapons throughout the Middle East is in no sense inevitable ... . They (nuclear weapons) were invented by human beings and, even though humans cannot 'uninvent' them, they can freely decide not to make them. But this decision not to make them will have to be affirmed and reaffirmed again and again by the Governments and peoples of the region. A nuclear-weapon-free zone can be the effective framework within which that decision is formulated, carried out, and sustained." All States of the region as well as those beyond should make an active contribution towards the fulfilment of these objectives.

OMAN

[Original: Arabic]

[15 March 1991]

1. Oman expresses its gratitude to the Secretary-General for his progress report containing the views of various concerned parties in the region with regard to the establishment of a nuclear-weapon-free zone in the region of the Middle East, as well as for the information to the effect that he has appointed a number of consultant experts to assist him in undertaking a study on effective and verifiable measures that would facilitate the establishment of a nuclear-weapon-free zone in the Middle East, taking into account the circumstances and characteristics of the region, as well as the views and suggestions of parties in the region, in accordance with paragraph 8 of the resolution. It also looks forward to the report to be submitted by the Secretary-General to the General Assembly at its forty-fifth session on the implementation of the General Assembly resolution and, in particular, to the views and recommendations of the consultant experts appointed by him.

2. In this regard, the Government of Oman wishes to draw the Secretary-General's attention to its reply in connection with General Assembly resolution 42/28 of 30 November 1987 on the establishment of a nuclear-weapon-free zone in the region of the Middle East, as included in the report of the Secretary-General (A/43/484) dated 27 July 1988.

3. In accordance with that reply, Oman believes that the unanimous adoption by the Secretary-General of resolution 43/65 of 7 December 1988 reflects the determination of the international community to establish a nuclear-weapon-free zone in the Middle East region and that, in order for this unanimous vote to constitute a genuine and true expression of the views of the international community, all States - and particularly the States concerned - must proceed to take the following steps:

(1) All parties directly concerned should take the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region in accordance with the relevant resolutions of the General Assembly. The countries concerned, meaning those engaged in nuclear programmes and activities, should, as a means of promoting this objective, adhere to the Treaty on the Non-Proliferation of Nuclear Weapons.

(2) Those countries of the region - and particularly those engaged in nuclear programmes and activities - which have not yet done so should, pending the establishment of the zone, declare their readiness to place all their nuclear activities and facilities under International Atomic Energy Agency safeguards.

(3) The countries of the region - and particularly those engaged in nuclear programmes and activities - should declare their unequivocal support for establishing such a zone, consistent with paragraph 63 (d) of the Final

Document of the Tenth Special Session of the General Assembly, and deposit those declarations with the Security Council.

(4) The countries of the region - and particularly those engaged in nuclear programmes and activities - should not develop, produce, test or otherwise acquire nuclear weapons or import or permit the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices.

(5) The nuclear-weapon States and all other States should render their assistance in the establishment of the zone and at the same time refrain from any action that runs counter to both the letter and the spirit of General Assembly resolution 43/65, which was adopted unanimously.

SWEDEN

[Original: English]

[18 June 1991]

1. The Government of Sweden welcomes the report of the Secretary-General on the establishment of a nuclear-weapon-free zone in the Middle East (A/45/435) as a valuable contribution to the process of establishing such a zone.

2. While establishment of a nuclear-weapon-free zone must be based upon "arrangements freely arrived at among the States of the region concerned", outside States, both nuclear-weapon States, neighbouring States, and other States, may be able to play a promoting and supporting role in a process leading to the establishment of a nuclear-weapon-free zone and to the implementation of the zone agreement once in force. For the Middle East case this point is amply elaborated in chapter IV.D of the report.

3. It should be noted, however, that the mandate for the study was limited to the nuclear field, but that the scope of a zone project could be extended to include regulations for other categories of weapons of mass destruction as well. In fact, the concept of weapons of mass destruction may, in an area where some States are geographically small, refer to any weapon or weapon system that can kill indiscriminately a large part of the civilian population of a State. Therefore, the initiative of President Mubarak (A/45/219-S/21252, annex) calling for a zone free of all weapons of mass destruction is particularly relevant in the Middle East.

4. Such a zone of wider scope is also referred to in the preamble and paragraph 14 of Security Council resolution 687 (1991). Paragraph 9 of that resolution charges the Secretary-General with forming a Special Commission for the destruction of Iraqi weapons of mass destruction. It is an enormous and unique task with a strict time-table to be adhered to.

5. The Swedish Government had the honour to assign Ambassador Rolf Ekéus as Chairman of the Special Commission. The task which the Commission has

undertaken is daunting. Its successful outcome should, however, be an important contribution to regional security in the Middle East.

6. The report of the Secretary-General indicates the possibility that the International Atomic Energy Agency could have a wider role for verification and control under an agreement on a nuclear-weapon-free zone in the Middle East than the Agency has under the Tlatelolco and Rarotonga Treaties. It seems that the adoption of such a wider role for the Agency would not require any amendment of its statute. It would require, however, the development of rules and procedures for and of a basis for the financing of the execution of such a wider role.

7. Preparation for such a new and extended role should start immediately, the more so as a similarly extended tasks for IAEA is foreseen in Security Council resolution 687 (1991) paragraphs 12 and 13. States members of IAEA should take immediate steps to support such preparations.

8. The Government of Sweden considers most important the recommendations, outlined in paragraphs 149 and 150 of the report, on transparency in relation to cooperation in the nuclear, chemical and missile fields that outside States are engaged in with States in the Middle East. Such transparency should be applied by all States and cover all relevant transactions whether future, current or past.

SYRIAN ARAB REPUBLIC

[Original: Arabic]

[5 April 1991]

1. [As stated previously (see A/44/430/Add.1)] the Syrian Arab Republic has consistently endorsed the principle of establishing nuclear-weapon-free zones in the world and treated it as an important means of serving the purposes of disarmament in general, and of reducing tension and promoting international peace and security in particular.

2. In light of its support for this principle, it endorsed resolution 45/52, concerning the establishment of a nuclear-weapon-free zone in the region of the Middle East, with a view to sparing this and other regions from the danger of nuclear destruction. It joined in the consensus on this subject because the resolution affirms the following ideas:

(a) The need for all parties directly concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons;

(b) The need for the parties concerned to place all their nuclear activities under International Atomic Energy Agency safeguards;

(c) The need for all parties concerned to refrain from developing, producing, testing or otherwise acquiring nuclear weapons or permitting the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices.

3. The Syrian Arab Republic interprets the contents of resolution 45/52 concerning the establishment of a nuclear-weapon-free zone in the region of the Middle East in this manner and is striving by every means to implement the contents of the resolution on this basis.

4. It is Israel which is impeding the implementation of the resolution and categorically rejecting the unanimous wishes of the international community, by means of the following policies:

(a) Israel's constant refusal to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons;

(b) Its constant refusal to comply with Security Council resolution 487 (1981), which calls upon Israel urgently to place its nuclear facilities under the safeguards of the International Atomic Energy Agency, and continued disregard for those safeguards;

(c) Its refusal to accept the idea of giving up possession of nuclear weapons, despite the repeated calls addressed to it by the General Assembly, the Security Council and the International Atomic Energy Agency.

5. The Syrian Arab Republic believes that, if the Secretary-General is to ensure that the resolution is implemented, then it is entirely clear that he must persuade Israel to comply with the wishes of the international community, to implement the community's resolutions and to forsake its nuclear ambitions.